

this chapter, as the inspector may prescribe. Should an importation be found on inspection to be so infested or infected or contaminated that, in the judgment of the inspector, it can not be made safe by sterilization or other treatment in accordance with part 305 of this chapter, the entire shipment may be refused entry.

(b) When entry under sterilization or other treatment in accordance with part 305 of this chapter is permitted, the importation will be released to the permittee for such treatment, upon the filing with the appropriate customs official of a bond in the amount of \$5,000, or in an amount equal to the invoice value, if such value be less than \$5,000, with approved sureties, and conditioned that the importation shall be sterilized or otherwise treated under the supervision of the inspector; that no bale or container shall be broken, opened, or removed from the port of arrival unless and until a written notice is given to said customs official by an inspector that the importation has been properly sterilized or treated; and that the importation shall be redelivered to said customs official within 30 days after its arrival.

(c) Should a shipment requiring sterilization or other treatment in accordance with part 305 of this chapter under the provisions of the regulation in this subpart arrive at a port where facilities for such sterilization or other treatment in accordance with part 305 of this chapter are not maintained, such shipment shall either be promptly shipped under safeguards and by routing prescribed by the inspector to an approved port where facilities for sterilization or other treatment in accordance with part 305 of this chapter are available, or it shall be refused entry.

(d) Other conditions of entry as applying to the certain classes of articles enumerated in §319.41-1 are:

(1) *Broomcorn.* All importations of broomcorn shall be so baled as to prevent breakage and scattering in connection with the necessary handling and sterilization; if in the judgment of the inspector they are not so baled, entry may be refused. All importations of broomcorn shall be subject to such sterilization or other treatment in ac-

cordance with part 305 of this chapter as the inspector may require.

(2) *Articles made of broomcorn.* Brooms or similar articles made of broomcorn shall be subject to sterilization unless their manufacture involves the substantial elimination of stems or such treatment of the included stems as in the judgment of the inspector shall preclude such articles from being the means of carriage of the European corn borer and of other injurious insects and plant diseases.

(3) *Shelled corn and other seeds.* If shipments of shelled corn and seeds of the other plants from countries other than those named in §319.41-1 (b)(2) are found upon inspection at the port of arrival to be appreciably fouled with cobs or other portions of the plants the inspector may require sterilization or other treatment in accordance with part 305 of this chapter or may refuse entry.

[24 FR 10788, Dec. 29, 1959, as amended at 75 FR 4252, Jan. 26, 2010]

#### §319.41-6 Importations by mail.

In addition to entries by freight or express provided for in §319.41-5, importations are permitted by mail of (a) mature corn on the cob from the countries specified in §319.41-1(b)(2), (b) clean shelled corn and clean seed of the other plants covered by §319.41: *Provided*, That a permit has been issued for the importation: *Provided further*, That each shipment is accompanied from the foreign mailing point by a special mailing tag, which will direct the package to a Plant Protection and Quarantine Programs inspection station for inspection in accordance with §319.41-5 before release to the mails for delivery to the importer. These special mailing tags will be furnished on request to the importer for transmission to his foreign shipper.

(Approved by the Office of Management and Budget under control number 0579-0049)

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